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JALON HALL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION

JALON HALL,

Plaintiff,

v.

GOOGLE LLC, a Delaware Limited Liability
Company; JAMILA SMITH-LOUD, an
individual; and DOES 1–25, inclusive,

Defendants.

Case No. 4:23-cv-06574-JST

**SECOND UPDATED JOINT CASE
MANAGEMENT STATEMENT**

Judge: Hon. Jon S. Tigar
Trial Date: None Set
Action Filed: Dec. 21, 2023

1 Jalon Hall (“Plaintiff”) and Google LLC (“Google”) submit this Second Updated Joint
2 Case Management Statement pursuant to the Court’s September 16, 2024 Order Continuing Case
3 Management Conference (ECF 62), the Standing Order for All Judges of the Northern District of
4 California: Contents of Joint Case Management Statement, and Civil Local Rule 16-9.

5 **1. JURISDICTION AND SERVICE**

6 **a. Plaintiff’s Position**

7 This action is based on Plaintiff’s claims of employment discrimination against
8 Defendant, and jurisdiction arises under Title VII, 42 U.S.C. Section 2000e-5. Venue is proper in
9 this court pursuant to 28 U.S.C. 1391(b)(1) and (2). Google’s principal place of business is in
10 Mountain View, California, and Plaintiff’s team is located there. Particularly, Plaintiff’s
11 manager, Jamila Smith-Loud, who Plaintiff alleges unlawfully discriminated against and harassed
12 her, works out of Google in Northern California. Additionally, Google’s Human Resources is
13 based out of Northern California, and Deaf Services of Palo Alto, the agency which provided sign
14 language interpreters for Plaintiff’s initial role with Google, is also in Northern California.

15 **b. Defendants’ Position**

16 Counsel for Google and Jamila Smith-Loud accepted service of Plaintiff’s Amended
17 Complaint on behalf of Google and Smith-Loud. Both Defendants have answered the Amended
18 Complaint. Google admits jurisdiction is proper in a United States District Court specifically as to
19 claims brought pursuant to Title VII, 42 U.S.C. Section 2000e-5. Although Google denies that
20 the Northern District of California is the proper venue for this Action on the basis of Plaintiff’s
21 state of residence and the other fact allegations Plaintiff described in her Complaint, it has
22 decided not to move to transfer venue.

23 **2. FACTS**

24 **a. Plaintiff’s Position**

25 Plaintiff is an African American woman who is deaf. Plaintiff was subjected to
26 discrimination, harassment, and retaliation based on the intersectionality of her race (Black) and
27 her disability (deafness). Google has “underleveled” Plaintiff, repeatedly failed to accommodate
28 her, unjustifiably criticized her work, and dismissed her requests for accommodation and

contributions. As a result of Google's discriminatory actions, Plaintiff has been repeatedly denied positions for which she is well-qualified, from the inception of her employment to the current date. Throughout her employment, Ms. Hall has made repeated reports and complaints of discriminatory treatment, to her supervisors, Human Resources, Employee Relations, and the Disability Alliance, none of which have been adequately addressed or resolved. Instead, Plaintiff has been subjected to outright and ongoing retaliation.

Most recently, on December 16, 2024, Defendant terminated Plaintiff from her position. Plaintiff will now be amending the CRD charge and seeking a stipulation for leave to amend the complaint accordingly, to address Plaintiff's termination.

b. Defendants' Position

Plaintiff asserts in her Complaint that Defendants discriminated against her on the basis of her race and disability because Google allegedly failed to: (1) promote her, (2) provide her with accommodations in her Content Moderation Specialist and Research Analyst roles, (3) and provide her with training for her Research Analyst role. Defendants deny all of Plaintiff's allegations. Plaintiff has not qualified for any promotions based on her performance and completed work product thus far. Google has also provided numerous accommodations to Plaintiff throughout her employment at Google. Finally, Google avers that it has provided Plaintiff with adequate and ample training for her role. Defendants also deny allegations that Defendants' subjected Plaintiff to unwanted harassment and retaliated against Plaintiff in response to Plaintiff's alleged complaints.

3. LEGAL ISSUES

a. Plaintiff's Position

- (1) Whether Google discriminated against Plaintiff based on her disability and race;
- (2) Whether Google failed to reasonably accommodate Plaintiff's disability;
- (3) Whether Google unlawfully harassed Plaintiff based on her disability and race;
- (4) Whether Google retaliated against Plaintiff for (a) seeking one or more reasonable accommodations and/or (b) complaining about and opposing Google's acts of discrimination and harassment.

1 These claims are brought pursuant to Title VII, 42 U.S.C. § 1981 and California
2 Government Code § 12940.

3 **b. Defendants' Position**

4 Defendants have identified the following legal issues:

5 (1) Whether Plaintiff can prove Defendants discriminated against her on the basis of her
6 race and disability because Google allegedly did not promote Plaintiff;

7 (2) Whether Google provided reasonable accommodations to Plaintiff;

8 (3) Whether Plaintiff can prove Defendants discriminated against her on the basis of her
9 race and disability by allegedly not providing training opportunities to Plaintiff;

10 (4) Whether Plaintiff can prove Defendants subjected her to unwanted harassment;

11 (5) Whether Plaintiff can prove Defendants retaliated against her for making protected
12 complaints.

13 Defendants reserve the right to present additional legal issues to the Court as appropriate.

14 **4. MOTIONS**

15 **a. Plaintiff's Position**

16 Plaintiff anticipates amending the Complaint to address Defendants' termination of the
17 Plaintiff. Absent Defendants' cooperation, a motion will be necessary. Plaintiff reserves the right
18 to file any discovery-related motion, including motion(s) to compel, and motions in limine, as
19 needed.

20 **b. Defendants' Position**

21 Defendants anticipate filing a dispositive motion (summary judgment) as to some or all of
22 the claims asserted in Plaintiff's Complaint. Defendants reserve their rights to file any motions
23 related to discovery, if needed.

24 **5. AMENDMENT OF PLEADINGS**

25 **a. Plaintiff's Position**

26 Plaintiff anticipates the need to further amend her Complaint, in light of the new
27 developments of Defendant having terminated the Plaintiff on December 16, 2024. As a pre-
28 requisite to amending the complaint, Plaintiff must amend the CRD Charge. Plaintiff is

1 evaluating the factual basis of the termination and assessing the extent to which the Complaint
2 must be amended. Plaintiff reserves the right to seek leave to amend based on further discovery,
3 the development of the case, or any other appropriate grounds.

4 **b. Defendants' Position**

5 Plaintiff filed her Amended Complaint on August 23, 2024, adding additional claims and
6 adding Jamila Smith-Loud as a defendant. Defendants will review any additional proposed
7 amendments made by Plaintiff related to her termination.

8 **6. EVIDENCE PRESERVATION**

9 The Parties have taken reasonable steps to preserve evidence relevant to the issues in this
10 action. Defendants have been informed by its counsel of its duty not to destroy any documents,
11 tangible things, or e-information relating to Plaintiff's claims that are in their possession, custody,
12 or control. Likewise, Plaintiff has been informed by her counsel of her duty not to destroy any
13 documents, tangible things, or e-information relating to her claims that are in her possession,
14 custody, or control.

15 The parties have reviewed the Guidelines Relating to the Discovery of Electronically
16 Stored Information. The parties have discussed the need to develop a reasonable discovery plan
17 and protocol for the reasonable search and disclosure of readily accessible electronically stored
18 information ("ESI"), including with respect to an agreed set of search terms, the identification of
19 appropriate custodians, and the appropriate format for production. The parties agree to meet and
20 confer and work cooperatively together to develop such a protocol and plan.

21 **7. DISCLOSURES**

22 **a. Plaintiff's Position**

23 Plaintiff served her initial disclosures to Defendants in compliance with General Order
24 No. 71 on July 1, 2024.

25 **b. Defendants' Position**

26 Google served its required disclosures to Plaintiff on May 6, 2024 and supplemented its
27 disclosures on August 30, 2024 after having a chance to review Plaintiff's Amended Complaint.
28 Defendant Hall will serve her required disclosures the week of January 6, 2024.

1 **8. DISCOVERY**

2 The Parties held their Rule 26 conference on June 11, 2024 and a second conference on
3 August 27, 2024. The Parties have exchanged written discovery, and Plaintiff's deposition is
4 scheduled for February 5 and 6, 2025.

5 **a. Plaintiff's Position**

6 Initial Disclosures: Plaintiff will supplement her initial disclosures as needed.

7 Discovery Subjects: Relevant discovery subjects include, but are not limited to: Plaintiff's
8 job performance and qualifications; Defendants' promotion and accommodation practices and
9 policies; complaints made by Plaintiff and Defendants' responses; Defendants' handling of
10 requests for sign language interpreters and other accommodations; Defendant Google's
11 confidentiality policies and procedures; comparative treatment of similarly situated employees;
12 communications regarding Plaintiff's complaints of discrimination and retaliation; and the
13 reason(s), basis and timing of Plaintiff's termination. Plaintiff will continue to engage in written
14 discovery and anticipates deposing relevant fact witnesses, including decision-makers involved in
15 Plaintiff's employment.

16 **b. Defendants' Position**

17 Initial Disclosures: Defendants will continue to evaluate and supplement their
18 disclosures as needed.

19 Discovery Subjects: Defendants assert that Plaintiff's job duties, accommodations
20 requested and granted, and complaints raised regarding the alleged discrimination are proper
21 subjects of discovery. Google anticipates deposing Plaintiff and reserves its rights to depose
22 other witnesses who Plaintiff may disclose.

23 Protective Order: Google anticipates that confidential information will likely be the
24 subject of discovery and the parties filed a stipulation for Protective Order on December 23, 2024
25 (ECF 69), which was granted on January 2, 2025 (ECF 70).

26 **9. CLASS ACTIONS**

27 Not applicable.

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1 **10. RELATED CASES**

2 Not applicable.

3 **11. RELIEF**

4 **a. Plaintiff's Position**

5 Plaintiff prays for relief as follows: (i) For economic and special damages according to
6 proof at trial; (ii) For punitive and exemplary damages according to proof at trial; (iii) For
7 attorney's fees and costs; and (iv) For injunctive relief pursuant to *Harris v. City of Santa Monica*
8 (2013) 56 Cal. 4th 203.

9 **b. Defendants' Position**

10 Defendants deny that Plaintiff is entitled to recover any damages or relief whatsoever.

11 **12. SETTLEMENT AND ADR**

12 The parties discussed the possibility of settlement and ADR during their Rule 26(f)
13 conference. The Parties filed the required ADR Certification. In that Certification, the Parties
14 indicated they intend to stipulate to an ADR process. Specifically, the Parties agreed to discuss
15 the possibility of participating in private mediation or a settlement conference with the Court.

16 **a. Plaintiff's Position**

17 Plaintiff is agreeable to private mediation or a settlement conference once the Parties have
18 discussed their positions and can gage whether either would be fruitful.

19 **b. Defendants' Position**

20 Defendants are amenable to discussing the possibility of private mediation or a settlement
21 conference with the Court at an appropriate time.

22 **13. OTHER REFERENCES**

23 The Parties do not believe that this case is suitable for other references at this time.

24 **14. NARROWING OF ISSUES**

25 The Parties have not identified any issues that can be narrowed during their early meet and
26 confer efforts. The parties will continue to cooperate in identifying possibilities for narrowing of
27 issues as the case moves forward and discovery continues.

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1 **15. SCHEDULING**

2 **The parties propose the following dates:**

3 Event	Date
4 Fact Discovery Cutoff	May 9, 2025
5 Initial Expert Designation	March 28, 2025
6 and Report	
7 Rebuttal Expert Designation	May 9, 2025
8 and Report	
9 Expert Discovery Cutoff	June 25, 2025
10 Dispositive Motions Filed	July 11, 2025
11 Pretrial Conference	October 31, 2025
12 Trial Ready	November 17, 2025

13 **16. TRIAL**

14 The parties proposes a pretrial conference date of October 31, 2025, and a trial date of
15 November 17, 2025.

16 Given the additional time required for accommodating Plaintiff's need for qualified
17 interpreters and ensuring effective communication throughout the discovery process, and
18 addressing Plaintiff's termination on December 16, 2024, the parties believe this proposed
19 timeline is necessary to provide sufficient time to complete discovery and prepare for trial.

20 Plaintiff anticipates that trial will take approximately 7-10 days.

21 Defendants anticipate that a jury trial will take 5-7 days.

22 **17. DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR PERSONS**

23 Google has filed its Certificate of Interested Entities or Persons (ECF No. 13) and
24 Corporate Disclosure Statement (ECF No. 14) on March 5, 2024. As Google stated in its
25 Corporate Disclosure Statement, Google is a subsidiary of XXVI Holdings Inc., which is a
26 subsidiary of Alphabet Inc., a publicly traded company. No publicly traded company holds more
27 than 10% of Alphabet Inc.'s stock.

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1 **18. PROFESSIONAL CONDUCT**

2 All attorneys of record for the Parties have reviewed the Guidelines for Professional
3 Conduct for the Northern District of California.

4 **19. OTHER MATTERS**

5 The Parties have agreed to accept electronic service.

6 Dated: January 7, 2025

ALEXANDER MORRISON + FEHR LLP

7 TONI JARAMILLA, A PROFESSIONAL
8 LAW CORP.

9
10 By: /s/ Britt Karp

J. Bernard Alexander III

11 Toni J. Jaramilla

Britt L. Karp

12 Attorneys for Plaintiff
13 JALON HALL

14
15 Dated: January 7, 2024

JONES DAY

16
17 By: /s/ Liat Yamini

Aaron L. Agenbroad

18 Liat Yamini

19 Attorneys for Defendants
20 GOOGLE LLC and JAMILA SMITH-LOUD
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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)

Pursuant to Civil Local Rule 5-1(i)(3), I, Liat Yamini, attest that concurrence in the filing of this document has been obtained from the other signatories.

By: /s/ Liat Yamini
Liat Yamini